

# United States District Court

## Western District of Wisconsin

UNITED STATES OF AMERICA

**JUDGMENT IN A CRIMINAL CASE**  
(for offenses committed on or after November 1, 1987)

V.

**Case Number:** 11-00008-SLC-01

DUANE K. HOFSTETTER

**Defendant's Attorney:** Andrew D. Weininger

The defendant, Duane K. Hofstetter, pleaded guilty to Violation Notice No. 0710764.

**ACCORDINGLY**, the court has adjudicated defendant guilty of the following offense(s):

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
Violation Notice No. 0710764	38 CFR 1.218(b)(15) under 38 U.S.C. § 901 - 38 U.S.C. § 901 Operating while Intoxicated, a Class B misdemeanor	April 9, 2012	No. 07 10764

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

**IT IS FURTHER ORDERED** that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

**Defendant's Date of Birth:** June 13, 1968**Defendant's USM No.:** N/A**Defendant's Residence Address:** 1509B Neupert Avenue  
Schofield, WI 54476**Defendant's Mailing Address:** 1509B Neupert Avenue  
Schofield, WI 54476

May 18, 2012

Date of Imposition of Judgment

/s/

Stephen L. Crocker  
District Magistrate Judge

May 23, 2012

Date Signed:

## IMPRISONMENT

As to Violation Notice No. 0710764, I am imposing a 60-day period of incarceration. No supervision is to follow the term of incarceration.

I find defendant is neither a flight risk nor a danger to the community. Execution of the sentence of imprisonment only is stayed until July 16, 2012, when he is to report to an institution to be designated by further court order between the hours of 12:00 noon and 2:00 p.m. The court recommends that the Bureau of Prisons designate a facility that has an Alcoholics Anonymous program in which defendant may participate.

## RETURN

I have executed this judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_

at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL  
By \_\_\_\_\_  
Deputy Marshal

## CRIMINAL MONETARY PENALTIES

Defendant shall pay the following total financial penalties in accordance with the schedule of payments set forth below.

<u>Violation</u>	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
Notice No. 0710764	\$10.00	\$200.00	\$0.00
<b>Total</b>	\$10.00	\$200.00	\$0.00

It is also adjudged that defendant is to pay a \$10 criminal assessment penalty which is due immediately and a fine of \$200, which is to be paid by July 16, 2012. Both financial payments are to be paid to the Central Violations Bureau, P.O. Box 740026, Atlanta, Georgia, 30374-0026, immediately following sentencing.

## **SCHEDULE OF PAYMENTS**

Payments shall be applied in the following order:

- (1) assessment;
- (2) restitution;
- (3) fine principal;
- (4) cost of prosecution;
- (5) interest;
- (6) penalties.

The total fine and other monetary penalties shall be due in full immediately unless otherwise stated elsewhere.

Unless the court has expressly ordered otherwise in the special instructions above, if the judgment imposes a period of imprisonment, payment of monetary penalties shall be due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of court, unless otherwise directed by the court, the probation officer, or the United States Attorney.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

In the event of a civil settlement between victim and defendant, defendant must provide evidence of such payments or settlement to the Court, U.S. Probation office, and U.S. Attorney's office so that defendant's account can be credited.